

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3655 of 1987

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

JAGDISHCHANDRA PRABHATSINH GADHVI

Versus

STATE OF GUJARAT

Appearance:

MR BHUSHAN B OZA for Petitioner
NOTICE SERVED for Respondent No. 1, 2

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 30/04/98

ORAL JUDGEMENT

Though served, neither of the respondents have appeared before me.

The petitioner challenges the selection of "Vaidyas" made pursuant to the advertisement No. 18 to 25/86-87, published on 20th January, 1987 (Annexure-A to

the petition). It is the claim of the petitioner that five posts of "Vaidyas" were advertised by the respondent No.2 in the aforesaid advertisement for filling up the vacancies in various Panchayats. Pursuant to the said advertisement, the petitioner applied for the post of Vaidya. The interviews were held on 8th July, 1987 and 9th July, 1987. As many as 76 candidates were interviewed during the said two days, however, the petitioner was not selected. It is the grievance of the petitioner that the selections are made arbitrarily and are made exclusively on the basis of the oral interview. The petitioner has further submitted that no candidate was offered adequate time to assess him properly, and the selection based on such interview can not be sustained. He, therefore, prays that the select list for the post of "Vaidyas" prepared for the year 1987 be quashed and set aside.

The petition requires to be rejected on the ground of non-joinder of necessary parties alone. Though the petitioner challenges the select list prepared for the post of Vaidya, the petitioner has not impleaded the persons who have found their placement on the impugned select list. The petitioner has not produced the select list either. In absence of the persons selected, the petition can not be entertained.

Petition is, therefore, dismissed. Rule is discharged.

JOSHI